UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

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21 MC 103 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York May 13, 2008

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York Trust Company, N.A.

WORBY GRONER EDELMAN & NAPOLI BERN Attorneys for Plaintiff

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By: Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12th Floor New York, New York 10006 (212) 267-3700

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFES:

Plaintiff Name
1 Stephen Addeo 06CV9963 2 Kleber Arteaga 08CV02253 3 Sixto Aviles 08CV02254 4 Rodrigo Barros 08CV02255 5 Maria Castro 08CV02257 6 Joel Chalco 08CV02258 7 Maria I. Chique 08CV02259 8 Sarbelia Coballes 08CV02261 9 Aracelly Cuervo 08CV02262 10 Belkis Delacruz 08CV02263 11 Emilsen Delgado 08CV02264 12 Margarita Dominguez 08CV02265 13 Tailor Dominguez 08CV02265 13 Tailor Dominguez 08CV02266 14 Piotr Fiedziukiewicz 08CV02266 15 Lizeth Garcia 08CV02270 16 Robert Glancy, Jr. 06CV14689 17 Manuel C. Gomez 08CV02271 18 David Guszick 07CV05411 19 Salma P. Guzman 08CV02273 20 Jaime Hernandez 08
2 Kleber Arteaga 08CV02253 3 Sixto Aviles 08CV02254 4 Rodrigo Barros 08CV02255 5 Maria Castro 08CV02257 6 Joel Chalco 08CV02258 7 Maria I. Chique 08CV02259 8 Sarbelia Coballes 08CV02261 9 Aracelly Cuervo 08CV02262 10 Belkis Delacruz 08CV02263 11 Emilsen Delgado 08CV02263 12 Margarita Dominguez 08CV02264 12 Margarita Dominguez 08CV02265 13 Tailor Dominguez 08CV02265 13 Tailor Dominguez 08CV02266 14 Piotr Fiedziukiewicz 08CV02266 15 Lizeth Garcia 08CV02270 16 Robert Glancy, Jr. 06CV14689 17 Manuel C. Gomez 08CV02271 18 David Guszick 07CV05411 19 Salma P. Guzman 08CV02273 20 Jaime Hernandez 08CV02275 22 William Hightower 08CV02276
3 Sixto Aviles 08CV02254 4 Rodrigo Barros 08CV02255 5 Maria Castro 08CV02257 6 Joel Chalco 08CV02258 7 Maria I. Chique 08CV02259 8 Sarbelia Coballes 08CV02261 9 Aracelly Cuervo 08CV02262 10 Belkis Delacruz 08CV02263 11 Emilsen Delgado 08CV02264 12 Margarita Dominguez 08CV02265 13 Tailor Dominguez 08CV02265 13 Tailor Dominguez 08CV02266 14 Piotr Fiedziukiewicz 08CV02266 15 Lizeth Garcia 08CV02270 16 Robert Glancy, Jr. 06CV14689 17 Manuel C. Gomez 08CV02271 18 David Guszick 07CV05411 19 Salma P. Guzman 08CV02273 20 Jaime Hernandez 08CV02275 22 William Hightower 08CV02276 23 Luis C. Jordan
4 Rodrigo Barros 08CV02255 5 Maria Castro 08CV02257 6 Joel Chalco 08CV02258 7 Maria I. Chique 08CV02259 8 Sarbelia Coballes 08CV02261 9 Aracelly Cuervo 08CV02262 10 Belkis Delacruz 08CV02263 11 Emilsen Delgado 08CV02264 12 Margarita Dominguez 08CV02265 13 Tailor Dominguez 08CV02266 14 Piotr Fiedziukiewicz 08CV02268 15 Lizeth Garcia 08CV02270 16 Robert Glancy, Jr. 06CV14689 17 Manuel C. Gomez 08CV02271 18 David Guszick 07CV05411 19 Salma P. Guzman 08CV02273 20 Jaime Hernandez 08CV02274 21 Tercida Hernandez 08CV02275 22 William Hightower 08CV02276 23 Luis C. Jordan 08CV02277 24 Janusz Karpiuk 08CV02278 26 Lubomir Kmec 08CV02279
5 Maria Castro 08CV02257 6 Joel Chalco 08CV02258 7 Maria I. Chique 08CV02259 8 Sarbelia Coballes 08CV02261 9 Aracelly Cuervo 08CV02262 10 Belkis Delacruz 08CV02263 11 Emilsen Delgado 08CV02264 12 Margarita Dominguez 08CV02265 13 Tailor Dominguez 08CV02265 14 Piotr Fiedziukiewicz 08CV02268 15 Lizeth Garcia 08CV02270 16 Robert Glancy, Jr. 06CV14689 17 Manuel C. Gomez 08CV02271 18 David Guszick 07CV05411 19 Salma P. Guzman 08CV02273 20 Jaime Hernandez 08CV02274 21 Tercida Hernandez 08CV02275 22 William Hightower 08CV02277 24 Janusz Karpiuk 08CV02277 25 Labomir Kmec 08CV02279
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26 Lubomir Kmec 08CV02279
28 Maria Lluguay 08CV02280
29 Angel Lopez 08CV02281
30 Antonio Lopez 07CV05436
31 Jamie D. Lopez 08CV02282
32 Rolando Lopez 08CV02283
33 Henry Lozano 08CV02284
34 Ligia Luengas 08CV02285
35 Pedro Macias 08CV02286
36 Gloria Marrero 08CV02287
37 Joffre Martinez 08CV02288
38 Margarita Mattei 08CV02289

39	Juan Mendez	08CV02291
40	Wojciech Michalik	08CV02292
41	Margarita Mottei	08CV02294
42	Jacek Mrozek	07CV8275
43	Adolfo Naranjo	08CV02295
44	Julio Ordonez	08CV02298
45	Rafael E. Orozco	08CV02299
46	Alicia Osorio	08CV02300
47	Kleber Paredes	08CV02301
48	Walberto Paredes	08CV02302
49	Zbigniew Plucinsk	08CV02303
50	Harold Ramirez	08CV02304
51	Blanca Saeteros	08CV02305
52	Jose Sanchez	08CV02306
53	Maria Segaline	07CV05426
54	James Seiferheld	07CV05427
55	Juan Sen	08CV02307
56	Pedro Torres	08CV02310
57	Rafaela Torres	08CV02311
58	Manuel Uzhca	08CV02312
59	Camilo Vazquez	08CV02313
60	Martin Viera	08CV02314
61	Oswaldo Villavicehcio	08CV02315
62	Patricia Villomar	08CV02316
63	Jose Vivar	08CV02318
64	Seweryn Wojciechowski	08CV02319
65	Ramon Zambrana	08CV02320